

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:	CASE NUMBER: 10-06394 ESL
ISMAEL RODRIGUEZ CANDELARIO	CHAPTER 13 ASSET CASE
DEBTOR(S)	

DEBTOR'S MOTION UNDER SECTION 1329 OF THE BANKRUPTCY CODE

THE HONORABLE COURT:

COMES NOW, Debtor (s) through the undersigned attorney and respectfully ALLEGES and PRAYS:

1. That debtor (s) filed and circulated a MODIFIED PLAN to all parties in interest.

2. That the modification is based in that the Debtor (s) wants to amend their plan in order to:

a. Debtor's wife died and he had some extraordinary expenses plus loss of income due to the passing away of his wife.

3. Debtor (s) amend plan call three (3) payments of \$300.00, one (1) payment of \$0.00, one (1) payment of \$300.00, one (1) payment of \$0.00, one payment of \$320.00, one (1) payments of \$0.00 and fifty (50) payment of 240.00 for a total base of \$13,745.00 dollars with a provision for the payment to paid secured arrears to Doral Financial, account ending number-3582 and Doral Financial, account ending number-3583.

4. Debtor (s) are still is interested in continuing with the bankruptcy procedures and proof if the amendment of the plan in order to comply with the disbursement schedules.

WHEREFORE, Debtor (s) respectfully request from this Honorable Court to accept this motion and grant debtor (s) the opportunity to modify the confirmed plan according to 11 US 1329 and provide any other remedy it may deem appropriate.

NOTICE

"Parties in interest are notified they have twenty one (21) days to reject a proposed modification of a plan and request a hearing. If no opposition is filed within the prescribed period of time, the Court will enter and order granting the motion upon the filing of a certificate of service by the movant that adequate notice was given. Should an opposition be timely filed. The Court will schedule the motion for a hearing as a contested matter. Absent good cause, untimely rejections shall be denied".

In San Juan, Puerto Rico, this 20th, day of May 2011.

RESPECTFULLY SUBMITTED.

/s/ Marilyn Valdes Ortega
MARILYN VALDES ORTEGA
USDC PR 214711
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San Juan, PR 00919-5596
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United States Bankruptcy Court
District of Puerto Rico

IN RE:

Case No. 10-06394 ESL

RODRIGUEZ CANDELARIO, ISMAEL

Chapter 13

Debtor(s)

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee directly by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: <input checked="" type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION		<input checked="" type="checkbox"/> AMENDED PLAN DATED: <u>5/20/2011</u> Filed by: <input type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other										
I. PAYMENT PLAN SCHEDULE <table> <tr><td>\$ 300.00 x 3 = \$ 900.00</td></tr> <tr><td>\$ 0.00 x 1 = \$ 0.00</td></tr> <tr><td>\$ 300.00 x 1 = \$ 300.00</td></tr> <tr><td>\$ 0.00 x 1 = \$ 0.00</td></tr> <tr><td>\$ 320.00 x 1 = \$ 320.00</td></tr> <tr><td colspan="2">See attachment</td></tr> <tr><td colspan="2">TOTAL: \$ 13,745.00</td></tr> </table> <p>Additional Payments: \$ to be paid as a LUMP SUM within with proceeds to come from:</p> <p><input type="checkbox"/> Sale of Property identified as follows:</p> <p><input type="checkbox"/> Other:</p> <p>Periodic Payments to be made other than, and in addition to the above: \$ x = \$</p> <p>PROPOSED BASE: \$ 13,745.00</p>		\$ 300.00 x 3 = \$ 900.00	\$ 0.00 x 1 = \$ 0.00	\$ 300.00 x 1 = \$ 300.00	\$ 0.00 x 1 = \$ 0.00	\$ 320.00 x 1 = \$ 320.00	See attachment		TOTAL: \$ 13,745.00		II. DISBURSEMENT SCHEDULE <p>A. ADEQUATE PROTECTION PAYMENTS OR \$</p> <p>B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows:</p> <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS: Cr. DORAL FINANCIAL (Cr. DORAL FINANCIAL (Cr. # 3582 # 3583 # \$ 5,845.00 \$ 2,022.00 \$ 2. <input type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. Cr. Cr. # # # \$ \$ \$ 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. Cr. Cr. # # # \$ \$ \$ 4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: 5. <input type="checkbox"/> Other: 6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: DORAL FINANCIAL (DORAL FINANCIAL (<p>C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2)</p> <p>D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims.</p> <p>1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: Cr. Cr. Cr. # # # \$ \$ \$</p> <p>2. Unsecured Claims otherwise receive PRO-RATA disbursements.</p> <p>OTHER PROVISIONS: (Executory contracts: payment of interest to unsecureds, etc.) TRUSTEE TO PAY ATTORNEY'S FEES BEFORE ANY SECURED OR PRIORITY CREDITOR.</p> <p>DEBTOR'S ONLY INCOME IS FROM SOCIAL SECURITY THEREFORE NO CHRISTMAS BONUS IS RECEIVED NOR ANY TAX RETURNS.</p>	
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\$ 0.00 x 1 = \$ 0.00												
\$ 320.00 x 1 = \$ 320.00												
See attachment												
TOTAL: \$ 13,745.00												

Attorney for Debtor Marilyn Valdes Ortega Law Offices

Phone: (787) 758-4400

Additional payments schedules

\$ 0.00 x 1 = \$ 0.00

\$225.00 x 1 = \$ 225.00

\$ 0.00 x 1 = \$ 0.00

\$240.00 x 50= \$12,000.00

Total: \$12,225.00

I HEREBY CERTIFY: That I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

10-06394-ESL13 Notice will be electronically mailed to:

JOSE RAMON CARRION MORALES
newecfmail@chl3-pr.com

MONSITA LECAROZ ARRIBAS
ustpregion21.hr.ecf@usdoj.gov

MARILYN VALDES ORTEGA on behalf of Debtor MILDRED FIGUERAS FIGUEROA
valdeslaw@prtc.net

I HEREBY CERTIFY: That I have mailed by regular mail to all creditors listed.

10-06394-ESL13 Notice will not be electronically mailed to:

ASSOCIATES FINANCE BANKRUPTCY
PO BOX 1616
BAYAMON, PR 00960

FEDERAL LITIGATION DEPT OF JUSTICE
PO BOX 9020192
SAN JUAN, PR 00902-0192

BANCO POPULAR DE PR
PO BOX 36-6818
SAN JUAN, PR 00936-6818

FIRST NATIONAL BANK
B LINE LLC
2101 4TH AVE STE 900
SEATTLE, WA 98121

BBVA BANCO
PO BOX 71113
SAN JUAN, PR 00936-1113

MBNA
PO BOX 15019
WILLMINGTON, DE 19886-5019

CITIBANK
PO BOX 6003
HAGERSTOWN, MD 21747-6003

NCO FINANCIAL SYSTEMS OF PUERTO
RICO
PO BOX 192478
HATO REY, PR 00918

COMMOLOCO
PO BOX 1886
CAROLINA, PR 00984-1886

PUERTO RICO TELEPHONE COMPANY
PO BOX 360998
SAN JUAN, PR 00936

DEPARTAMENTO DE HACIENDA
PO BOX 9024140
OFICINA 424 B
SAN JUAN, PR 00902-4140

VERIZON WIRELESS
BANKRUPTCY DEPARTMENT
PO BOX 3397
BLOOMINGTON, IL 61702

DEPARTAMENTO DEL TRABAJO
AVE. MUÑOZ RIVERA 505
HATO REY, PR 00918

WESTERN AUTO
PO BOX 609
MEMPHIS, TN 38101-0609

DORAL FINANCIAL CORPORATION
PO BOX 71529
SAN JUAN, PR 00936-8629